To ensure that contractors of the Department of Agriculture comply with certain labor laws, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. Booker introduced the following bill; which was read twice and referred to the Committee on ________________

A BILL

To ensure that contractors of the Department of Agriculture comply with certain labor laws, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Child Labor Exploitation Accountability Act”.

SEC. 2. PROMOTION OF ECONOMIC SECURITY AND WORKPLACE ACCOUNTABILITY.

(a) REQUIRED DISCLOSURES.—The Secretary of Agriculture shall require any entity that enters into a contract with the Department of Agriculture on or after the
date that is 2 years after the date of enactment of this Act to disclose to the Secretary of Labor, on an annual basis and to the best of the knowledge of the entity, whether, within the preceding 3-year period, any administrative merits determination, arbitral award or decision, or civil judgment, as defined in regulations issued by the Secretary of Labor, has been issued against the entity, or any subcontractor of the entity, for violations of any of the following (including, as applicable, any regulations issued under any of the following):


(2) The Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.).

(3) The National Labor Relations Act (29 U.S.C. 151 et seq.).

(4) Subchapter IV of chapter 31 of title 40, United States Code (commonly known as the “Davis-Bacon Act”).

(5) Chapter 67 of title 41, United States Code (commonly known as the “Service Contract Act”).

(6) Executive Order 11246 (42 U.S.C. 2000e note; relating to equal employment opportunity).

(8) Section 4212 of title 38, United States Code.


(10) Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.).

(11) Title I of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111 et seq.).


(13) Executive Order 13658 (79 Fed. Reg. 9851; relating to establishing a minimum wage for contractors).

(14) The Railway Labor Act (45 U.S.C. 151 et seq.).

(15) The Pregnant Workers Fairness Act (division II of the Consolidated Appropriations Act, 2023 (Public Law 117–328)).

(16) Section 4714 of title 41, United States Code.


(19) Section 274B of such Act (8 U.S.C. 1324b).

(20) Any applicable State or local labor or employment law, as defined in regulations issued by the Secretary of Labor.

(b) Consultation.—The Secretary of Labor shall be available, as appropriate and in coordination as described in subsection (e), for consultation with an entity described in subsection (a) to assist the entity in evaluating the information on labor compliance submitted to the entity by a subcontractor pursuant to such subsection.

(c) Corrective Measures.—On an annual basis, the Secretary of Labor—

(1) shall provide an entity that makes a disclosure pursuant to subsection (a) an opportunity to report any steps taken by the entity, or any subcontractor of the entity, to correct violations of or improve compliance with the labor laws, including Executive orders, listed in such subsection, including any agreements entered into with an enforcement agency; and
(2) may negotiate with such entity corrective
measures that the entity or any subcontractor of the
entity may take in order to avoid having the entity
placed on the list under subsection (d).

(d) LIST OF INELIGIBLE ENTITIES.—

(1) IN GENERAL.—For each calendar year be-
ginning with the first calendar year that begins after
the date that is 2 years after the date of enactment
of this Act, the Secretary of Labor, in coordination
as described in subsection (e), shall prepare, and
submit to the Secretary of Agriculture, a list of each
entity that shall be ineligible for a contract with the
Department of Agriculture for that year based on—

(A) serious, repeated, or pervasive viola-
tions of the labor laws, including Executive or-
ders, listed under subsection (a) committed by
the entity or any subcontractor of the entity; or

(B) the failure of such entity, or any sub-
contractor of such entity, to complete any cor-
rective measure negotiated under subsection (c).

(2) INELIGIBILITY.—The Secretary of Agri-
culture shall not—

(A) solicit a contract from any entity on
the list under paragraph (1) that is in effect for
a year for that year or any of the subsequent
4 years; and

(B) conduct an inspection pursuant to the
Federal Meat Inspection Act (21 U.S.C. 601 et
seq.) or the Poultry Products Inspection Act
(21 U.S.C. 451 et seq.), as applicable, of any
facility owned or controlled by an entity on the
list under paragraph (1) that is in effect for a
year for that year or for any of the subsequent
4 years.

(e) COORDINATION.—In providing the consultation
described in subsection (b) and preparing the list under
subsection (d), the Secretary of Labor shall coordinate,
as appropriate, with the National Labor Relations Board,
the Equal Employment Opportunity Commission, the En-
vironmental Protection Agency, States, and local govern-
ments.

(f) CRIMINAL PENALTY FOR FAILURE TO REPORT.—

(1) OFFENSE.—It shall be unlawful for an enti-
ty to knowingly fail to make a disclosure required
under subsection (a).

(2) PENALTY.—

(A) IN GENERAL.—A violation of para-
graph (1) shall be treated as a violation of sec-
tion 1031(a) of title 18, United States Code.
(B) Gross loss to government; gross gain to defendant.—For purposes of applying section 1031 of title 18, United States Code, to a violation of paragraph (1) of this subsection, the amount that the Department of Agriculture pays an entity that violates such paragraph (1) under a contract described in subsection (a) of this section shall be treated as the gross loss to the Government or the gross gain to the defendant.

(g) Annual reports to Congress.—For each calendar year beginning with the first calendar year that begins after the date that is 2 years after the date of enactment of this Act, Secretary of Agriculture shall submit a report to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives that includes—

(1) the number of entities on the list under subsection (d) for the year of the report;

(2) the number of entities that agreed to take corrective measures under subsection (c) for such year;

(3) the amount of the applicable contracts for the entities described in paragraph (1) or (2); and
(4) performance indicators and measures, as determined by the Secretary of Agriculture, assessing the effectiveness of the implementation by the Secretary of Agriculture of this Act for such year.